IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE D.S.R.VARMA**

**WRIT PETITION NO : 6376 of 2005**

Between:

Pandiri Srinivasa Rao, S/o. Ramulu,
R/o. 42-9-9A, 31st Block, Ajitsingh Nagar,

Vijayawada - 15, Krishna District.

**..... PETITIONER**

AND

1 The Director General of Police, Lakdi-ka-Pool, Hyderabad.
2 The Commissioner of Police, Vijayawada, Krishna District.
3 The Sub-Inspector of Police, Law and order, Satyanarayanapuram Police

Station, Vijayawada, Krishna District.
4 The Assistant Commissioner of Police, Vijayawada-II, Vijayawada,

Krishna District.
5 The Inspector of Pollice, North Circle, Vijayawada, Krishna District.
6 Dara Mary Devaraju, R/o. 17-24-20, RCM Church Street, Pezzonipet, Vijayawada-3, Krishna District.

7. The Govt. of A.P., Home Department, represented by its

Secretary, Secretariat Buildings, Hyderabad.

( Respondent No.7 added as per the oral order of the

Hon'ble Court, dated 25-03-2005).

**..... RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd Respondent in harassing the

petitioner and his family members by implicating them in false criminal cases under the active influence of the 6th Respondent and also threatening the Petitioner to implicate him in some other criminal cases in future including for the offences under SC & ST Prevention of Atrocities Act and thereby compelling the presence of the Petitioner and his family members every day and also declare the investigation conducted by the 3rd Respondent in Crime No. 88/2005 is biased and defective and also declare the action of the 2nd Respondent in not initiating action into the allegations made by the Petitioner to conduct inquiry even after the proceedings issued by the A.P. State Legal Services Authority on 23-11-2004 and not providing protection to the petitioner is absolutely illegal, arbitrary and highhanded, erroneous and violative of Article 21 of the Constitution of India and consequently direct the Respondents 2 to 6 not to harass the Petitioner by implicating him in false criminal cases with a further direction to the 2nd Respondent to initiate necessary action into the allegations made by the Petitioner against the 3rd and 6th Respondents and also direct the 2nd Respondent to order the reinvestigation of the Crime No. 88/2005 through any other competent investigating authority and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner: MR.Y.V.RAVI PRASAD**

**Counsel for the Respondent Nos.1 to 5: G.P. FOR HOME**

**The Court at the stage of admission made the following**

**ORAL ORDER:**

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home, appearing on behalf of the respondents 1 to 5.

2. The complaint of the petitioner is that the respondents-police have been calling him to the Police station without there being any complaint registered against him and made him to sit unnecessarily, which amounts to harassment.

3. There is absolutely no proof, except a bald statement as allegedly shown in the affidavit filed in support of the writ petition that the petitioner is being called to the police station and made him to sit unnecessarily.

4. In such cases, normally, the writ petition should be dismissed. However, as a measure of caution and advice to the police, the police shall not resort to such activity, which amounts to harassment.

5. With the above observation, the writ petition is closed, at the stage of admission. No costs.

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**D.S.R. VARMA, J**

25th March, 2005

Note:

Issue CC in three days

(B/o.)

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ASSISTANT REGISTRAR

To

1 The Director General of Police, Lakdi-ka-Pool, Hyderabad.
2 The Commissioner of Police, Vijayawada, Krishna District.
3 The Sub-Inspector of Police, Law and order, Satyanarayanapuram Police

Station, Vijayawada, Krishna District.
4 The Assistant Commissioner of Police, Vijayawada-II, Vijayawada,

Krishna District.
5 The Inspector of Pollice, North Circle, Vijayawada, Krishna District.

6. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

7. Two CD copies